TOWN OF LYONS PLANNING COMMISSION Meeting MINUTES OF
February 4, 2025

Meeting called to order by Dave Held at 7:30pm. The official meeting notice and agenda was read by Al Bjorkman. Planning commissioners present were Dave Held, John Otten, Leonard Wardzala, Jeff Block, and Al Bjorkman. Also present were all three Board members and 13 interested persons.
Motion by Leonard Wardzala, second by John Otten, to approve minutes of December 3, 2024, carried.

H. R. BATTERMAN ENGINEERS, AND LIBERTY WOODS LIFE LLC, OWNERS, REQUEST A CONDITIONAL USE FOR A PLANNED RESIDENTIAL DEVELOPMENT IN C-2 ZONING. PARCEL IS 79.4 ACRES ALONG TOWNLINE ROAD AND HWY 12 AND KNOWN AS TAX KEY NLY3200009.

Mr. Roch Tranel, landowner, presented the plan. He purchased the property several years ago from the estate of the prior owner. He currently resides in Libertyville, Illinois and runs a financial services business. He grew up in Monroe, Wisconsin and wants to develop a family compound on the site. He may also be establishing a business site in Wisconsin.

He introduced engineers and planners from H. R. Batterman Engineering who he had been working with since the Fall of 2024 when they first met with the Plan Commission to begin discussion of the proposed plan.

Kristin Belongia and Nickolas Jayne of H.R. Batterman presented. They provided a site plan narrative, a wetland delineation report, a Field Delineated Wetlands map, site survey map, final site plan locating all site access road with a complete site plan map with including future home and structure sites, and results of the wetland delineation, and all pertinent site information. The plan commission had been mailed all of this material prior to the meeting. They set up two full site maps for members of the audience and one on a easel at the front of the room.

A letter dated 1/30/25 reviewing the CSM, the Conditional Use Plan, and the Plat of Survey from Tyler Gates, the Town Civil Engineer of Baxter/Woodman was also presented.

Ms. Belongia went thru the site narrative and conditional use plan map. The site is 79.4 acres and zoned C2 (5 acre lots). The conditional use plan indicated a maximum of 6 single family home sites, 3 of which may also be barndominiums. The site will remain as one tax parcel. Desire is to begin construction in Spring 2025, with a total development window of 9 years.

Of the entire site about 2.8% of the site will be drives, 2.6% building footprints, 4.6% water bodies, totaling 10.0% of the total parcel area, leaving about 90% as undisturbed open space.

Bjorkman commented that he had talked to the engineers and owner after the September 4, 2024 meeting and strongly urged them to immediately meet with Nick Sigmund of Walworth County Zoning to review two major Plan Commission concerns: wetlands and easement/drive access to the adjacent public Townline Road.

On the drive/easement issue, they provided a CSM map showing the fee purchase of a small parcel to provide full 66' wide easement to a public road. This CSM document also had a signed letter of intent

from the adjacent landowner of Lot 1 of Meadow Hill Farms to sell this parcel to the owner.

Questions soon began from the floor to the presenters primarily from existing residents of the adjacent subdivision, Meadow Hill Farms. Chair Dave Held said it was in order to have a more informal question and response discussion both to the owner and the Plan Commission. There was considerable discussion.

First issue was that it looked like the entrance drive would need to use a small amount of the subdivision road, Pheasant Run, to enter the property drive. The new easement would actually stay completely on the Townline Road 66' wide easement. Due to topography, it is not feasible to re-route the drive so it is straight in from Townline Road completely to not touch the Pheasant Run entrance which also begins on the public road ROW.

The state of Wisconsin had indicated no issue with the drive easement along US 12 to access the property.

Question came up with as to the definition of a barndominiums. Could not any barndominiums have a kitchen and bathroom making it eligible for residential use?

(Review "Conditional Use Site Plan") Response was that the site plan shows 2 barndominium sites listed as possible alternative sites, and 1 barndominium site as a possible single family home. Overall, the conditional use and map show a maximum of 6 single family homes on the entire site. Each barndominium and home site (all 6) have an indicated site window for placement of a structure. The 4 listed as proposed single family residences on the map each have a 10,000 sq foot home footprint within a larger construction footprint. An actual barndominium would have a 100' x 200' size.

Discussion of short term rentals. Neighbors said the owner has a home on Lot 1 that he already rents out as short term rentals. The Town Chair was concerned about future short term rentals on the property with the possibility of up to 6 single family homes on the site.

He wondered if we can place a condition prohibiting short term rentals in the future.

Bjorkman commented he was hesitant to try and limit what an owner can legally do with their private property if existing ordinance allows short term rentals. If the commission wants to try and add such a condition we can but the county may remove it. Further, existing zoning would allow 15 homes on this site and this plan would be limited to 6.

Some concerns to whether this new development might interfere with movement of wildlife. Owner said he has no interest in a property border chain link fence. Future use of livestock may require Ag type fences which wildlife can easily movement over or through.

Town Engineer Tyler Gates was asked if these documents shown addressed his comments in his review letter dated 1/30/25. He indicated that they had.

Kevin Bates also wanted to know the timing of the fee purchase of the 66' wide easement. Batterman said it was hard to do unless it was a final sale and recorded at the county. The proposed CSM and

letter of intent should indicate that this was the intention to complete and file.

Bjorkman commented to the owner and engineers that the two proposed home sites next to the ponds in the SE corner had numerous legacy oaks on them. Would they do their best to try and limit damage to those legacy oaks as they set final corners of each of the two homes? Owner and engineers said they would try their best.

Wardzala commented that the development should use "Night Sky" sensitive lighting on al exterior lights. Owner said he was not aware of this but would look at this with the architects. Bjorkman commented there is a wide range of type and looks of night-sky lighting now available.

It was asked how conditional uses were enforced. Held commented they are supposed to be reviewed each 5 years but it is not possible to do this with 3000+ conditional uses in existence in Walworth County. We have been told it is up to citizen complaint to get any action on a conditional use problem.

Motion by Al Bjorkman, second by Leonard Wardzala, to recommend approval to the Town Board of the proposed Conditional Use Plan as presented and documented with the following conditions: 1) the owner use Night Sky sensitive lighting on exterior lighting fixtures **2)** follow wetland delineation in placement of all road and structures **3)** limit development to a maximum of 6 single family homes **4)** complete the easement CSM prior to final approval **5)** no short term rentals except as allowed by ordinance **6)** limit development work to a 9 year window **carried**

REQUEST FOR APPROVAL OF A CSM FOR DEVELOPMENT ACCESS EASEMENT. Refer to presented CSM map and letter of sale intent document.

Motion by Leonard Wardzala, second by Al Bjorkman, to recommend to the Town Board approval of the CSM easement map, carried.

Next meeting if an agenda is March 4, 2025.

Motion to adjourn at 8:42pm by Al Bjorkman, second by Jeff Block, carried.

Respectfully Submitted,

Al Bjorkman